

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TEXTRON INNOVATIONS INC.,

Plaintiff,

V.

C. A. No. 05-486 (GMS)

JURY TRIAL DEMANDED

THE TORO COMPANY,

Defendant.

NOTICE OF VIDEOTAPED DEPOSITION OF CHAD MOE

To: The Toro Company and its attorneys:

Anthony R. Zeuli, Esquire
MERCHANT & GOULD P.C.
3200 IDS Center
80 South 8th Street
Minneapolis, MN 55402

Richard L. Horwitz, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19899-0951

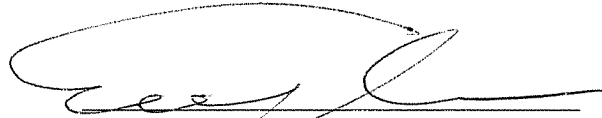
PLEASE TAKE NOTICE that Plaintiff, Textron Innovations Inc., will take the deposition by oral examination of Kevin Conry commencing on **October 17, 2006**, beginning at **9:00 a.m.** at the offices of Frederikson & Bryon, P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota or at some other place mutually agreed upon by counsel.

Said deposition will be taken by stenographic and videographic means before a notary public and will continued from day to day as necessary until completed.

This Notice serves as formal notice of the deposition informally noticed on September 27, 2006.

Dated: September 28, 2006

THE BAYARD FIRM

A handwritten signature in black ink, appearing to read 'Edmond D. Johnson', is written over a horizontal line.

Edmond D. Johnson (#2257)

Peter B. Ladig (#3513)

Katharine V. Jackson (#4800)

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